



**REGULAR CITY COUNCIL MEETING
FRISCO CITY HALL
GEORGE A. PUREFOY MUNICIPAL CENTER
COUNCIL CHAMBERS
6101 FRISCO SQUARE BLVD.
FRISCO, TEXAS 75034**

5:30 PM

TUESDAY, OCTOBER 06, 2009

MINUTES

Mayor	Maher Maso	Present
Mayor Pro Tem	Jeff Cheney	Present
Deputy Mayor Pro Tem	Bob Allen	Present
Council Member	Pat Fallon	Present (arrives 6:34 p.m)
Council Member	Scott Johnson	Present
Council Member	David Prince	Present
Council Member	Bart Crowder	Present

CALL TO ORDER

Mayor Maso called the meeting to order at 5:30 p.m. and announced that a quorum was present and that Pat Fallon will be joining the Council later in the meeting.

1. ROLL CALL

Representing staff were: City Manager, George Purefoy; Deputy City Manager, Henry Hill; Assistant City Manager, Nell Lange; Communications Specialist, Darcy Schroer; Director of Development Services, John Lettelleir; Development Services Dev Coordinator, Scott Ingalls; Code & Animal Control Administrator, Greg Carr; EDC Vice President, Nancy Windham; Director of Engineering Services, Paul Knippel; Facilities Manager, Gerry Burns; Finance Director, Anita Cothran; Fire

Chief, Mack Borchardt; Fire Division Chief, Ryan Wolford; IT Director, Curt Balogh; Director of Library Services, Shelley Holley; Library Systems Coordinator, Gary Werchan; Youth Services, Mayra Diaz; Director of Parks & Recreation, Rick Wieland; Planning & Business Dev Mgr, Dudley Raymond; Public Works Director, Gary Hartwell; Purchasing Agent, Tom Johnston; City Attorney, Richard Abernathy and City Secretary, Jenny Page.

CLOSED SESSION

Jeff Cheney moved to adjourn to Closed Session at 5:33 p.m. Bart Crowder seconded the motion.

Passed

Vote: 5 - 0

For: Scott Johnson, Jeff Cheney, Bart Crowder,
Bob Allen, David Prince;

Against: (None)

2. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit:
 - A. Section 551.071. Meeting with City Attorney regarding a matter(s) in which the duty of the City Attorney under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding:
 - i. Receive legal advice regarding possible settlement of Cause No. 20090-50183-367 in the case styled Wynnwood Peninsula Partners, L.P. v. City of Frisco, Texas, pending in the 367th Judicial District Court.
 - ii. Receive legal advice regarding and possible settlement of Case No. 09-0069; City of The Colony, Texas vs. North Texas Municipal Water District and City of Frisco, Texas; In the Texas Supreme Court.
 - iii. Receive legal advice regarding and possible settlement of City of Frisco protest of APAC permit renewal; and
 - iv. Receive legal advice regarding the Open Meetings Act.
 - B. Section 551.072. To deliberate the purchase, exchange, lease or value of real property located:
 - i. 2601 Avenue of the Stars (Dr Pepper Arena)
 - ii. South of US 380, North of The Colony city limits, East of FM 423, and West of Hillcrest Road.
 - C. Section 551.074. Personnel Matters: Section 551.074 authorizes certain deliberations about officers and employees of the governmental body to be held in executive session:
 - i. Evaluation of City Secretary.
 - D. Section 551.087. Deliberation regarding commercial or financial information that the City has received from a business prospect and to deliberate the offer or other incentives to a business prospect.

3. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

Pat Fallon arrived at 6:34 p.m. as Council was exiting the Closed Session.

Jeff Cheney moved to reconvene into Regular Session at 6:43 p. m. Pat Fallon seconded the motion.

Passed

Vote: 6 - 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

Mayor Maso announced there was no action to take as a result of closed session.

INVOCATION

Brandon Burden, Executive Pastor from Kingdom Life Christian Church led the invocation.

PLEDGE OF ALLEGIANCE

Deputy Mayor Pro Tem Bob Allen led the audience in the United States Pledge of Allegiance and the Texas Pledge of Allegiance.

PROCLAMATIONS

4. National Night Out Proclamation (October 13, 2009)

Mayor Maso presented Proclamation for National Night Out on October 13, 2009. Captain Greg Ward, Officer Robert Monts and Sergeant Adam Henderson were present to accept Proclamation.

5. Disability Employment Awareness Month

Mayor Maso presented Proclamation for Disability Employment Awareness Month. Bill Knudson, CEO, UCP of North Texas and Mark Denzin, Senior Vice President, UCP of North Texas, representing the Alliance of Executive Directors Serving People with Disabilities, accepted Proclamation.

6. Frisco Public Library Month

Mayor Maso presented Proclamation for Frisco Public Library Month. Shelley Holley, Director of Library Services; Library Foundation Board Members and

Friends of the Library were present to accept Proclamation.

7. Recognize staff associated with assisting at Frisco Junction, Heritage Center, and conversion of old City Hall. (CMO)

Deputy City Manager Henry Hill recognized City employees for working on the Heritage Village, Sci-Tech building, old City Hall and many other facilities and projects that might have otherwise been contracted out. Their labor helped to save the City money and ensured that their positions were not in danger of layoffs since the slowdown in building in the City. They were:

Phillip Climer, Jeff Blake, Steve Covington, Chris Whitson, Mike Crain, Gilbert Urvina, James Shelton, Kevin Tucker, Terri Brown, Tom Wheeler, Jeff Harrell, Glenn Sheffield, Ginny Queen, Robert Thomas, Jeff Reed, Chris Whitson, James Smith, Bill Hartwell, Rowen Uptown, Don Shepard, Ding Alcantara, Brad Wooley, Fred Clausen, Artie Segovia, Raymond Deleon, Donald Shelton, Brandon Jouett, Jerry Alberthal, Baltazar Juarez, Juan Reyes, Gustavo Moya, Rafael Hernandez, Juan Torres, Honorio Vasquez, Victor Carrillo, Adam Biscarro, Daniel Craig, Fred Martinez, Ernie Thompson, Felix Garza, Jason Bowden, Richard Blanchard, Armando Arguello, Frank Morehouse, Lance Jones, Nick Scott, Mike Storozuk, Scott Sterling, Joseph Whiteman, Raul Morales, Brooks Peterman, Ronnie Dickens, Chris Kubala, Rick Dworshak, Tony Acevedo, Kyle Poe, Ramiro Garza, Cory Ryan, Benny Wilmeth, Larry Bush, Calvin Woodard, Jimmy Garcia, and Raul Aguilar.

REPORTS

8. August 2009 Financial Budget Status Report

Anita Cothran, Director of Financial Services, submitted the August 2009 Financial Budget Status Report

9. Library Report on usage and programming activities

Library Services Director, Shelley Holley presented the Library Report on monthly usage and programming activities. Ms. Holley also presented a slide show of the Library's 3rd Birthday celebration and highlights of the upcoming Storytelling Festival.

10. Parks & Recreation Monthly Report regarding Park & Trail Development, Facilities, Special Events and Youth Development.

Parks & Recreation Director, Rick Wieland presented a report on Park & Trail Development, Facilities, Special Events, and Youth Development.

11. Engineering Services Monthly Report on Roads, Traffic, Water and Sewer

Projects

Engineering Services Director, Paul Knippel presented Engineering Services Monthly Report on Roads, Traffic, Water and Sewer Projects.

CITIZEN INPUT (to begin approximately at 7:30 p.m.)

There was no one present to speak.

Mayor Maso moved back to Legislative Agenda.

CONSENT AGENDA

(Items placed on the Consent Agenda are considered routine in nature and are considered non-controversial. The Consent Agenda can be acted upon in one motion. A majority of the Council is required to remove any item for discussion and separate action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

Scott Johnson moved to pull Item 35 from the CONSENT AGENDA. Pat Fallon seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon, Bob Allen,
David Prince;

Against: (None)

Jeff Cheney moved to approve Consent Agenda items 12 through 34. David Prince seconded the motion.

Passed

Vote: 6 - 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon, Bob Allen,
David Prince;

Against: (None)

12. Consider and act upon approval of the Minutes from the September 15, 2009 Regular City Council Meeting and the September 17, 2009 Special City Council Meeting. (CSO/JP)
13. Adoption of a Resolution nominating Ron Carlisle for Election to the Central Appraisal District of Collin County. (CSO/JP) 09-10-173R
14. Consider and Approve Two Resolutions in support of North Central Texas Council of Governments Grant Applications (Environmental Services/PC) 09-10-174R & 09-10-175R
15. Consider and act upon adoption of a resolution of the City Council of the City of

Frisco approving the terms and conditions of a grant application to the Department of Transportation/Motor Carrier Safety Assistance Program (MCSAP) for the funding of equipment for the Stop Trucking Offender Program (STOP) used in conducting commercial motor vehicle safety inspections; authorizing the submission of the grant application by the City Manager and providing an effective date. (Police/DS) 09-10-176R

16. Consider and act upon adoption of a Resolution authorizing the City Manager to file a Resolution whereby the City refuses to recognize or give effect to a Certificate of Correction. (Development Services/SI) 09-10-177R
17. Consider and act upon adoption of a Resolution approving the acceptance of a grant award from the U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, Paul Coverdell Forensic Science Improvement Grants Program. (Police/GW) 09-10-178R
18. Consider and act upon adoption of a Resolution authorizing the City Manager to execute an agreement by and between the City of Frisco, Texas and Collin County, Texas for animal shelter services. (Development Services/GC) 09-10-179R
19. Consider and act upon award of bid to Mario Sinacola & Sons Excavating, Inc. and adoption of a Resolution authorizing the City Manager to execute a Standard Form of Agreement for Construction Services for Teel Parkway (Eldorado Parkway to Panther Creek Parkway) (Bid No. 0908-068). (Engineering/JB) 09-10-180R
20. Consider and act upon approval of a purchase order to 3M Company for the purchase of sign sheeting to be used by Traffic Division during the fiscal year 2010. (Engineering/TJ)
21. Consider and act upon approval of purchase orders to American Tire for the purchase of tires for Fleet Services and the Fire Department during the fiscal year 2010. (Fleet/Fire/TJ)
22. Consider and act upon approval of purchase orders to Dell Marketing for purchase of office computers and servers, through the State of Texas Department of Information Resources (DIR) contract during fiscal year 2010. (IT/TJ)
23. Consider and act upon approval of a purchase order to Goodyear Tire for the purchase of Police Tahoe replacement tires during the fiscal year 2010. (Fleet/TJ)
24. Consider and act upon approval of a purchase order to Hall-Mark Fire Apparatus, Inc. for the purchase of parts and service for the Frisco Fire

Department's E-One fire trucks during the fiscal year 2010. (Fire/YJ)

25. Consider and act upon approval of a purchase order to HD Supply for the purchase of water meters and water meter parts during the fiscal year 2010. (Public Works/TJ)
26. Consider and act upon approval of a purchase order for annual maintenance fees to Integrated Computer Systems, Inc. (ICS) for hardware and software related to the Police Records Management System, Public Safety Computer Aided Dispatch System and the Public Safety Mobile Data Computer System. (Police/TJ)
27. Consider and act upon approval of purchase orders with Napa Auto Parts, for the purchase of miscellaneous vehicle maintenance and repair parts during the fiscal year 2010. (Fleet/Fire/TJ)
28. Consider and act upon approval of a purchase order to Nortex Concrete Lift and Stabilization for pavement under-sealing and raising services during the fiscal year 2010. (Public Works/TJ)
29. Consider and act upon approval of a purchase order to Smiths Detection, Inc. for the purchase of Hazardous Materials (HAZMAT) detection and identification devices. (Fire/TJ)
30. Consider and act upon approval of a purchase order to Southwest International for the purchase of parts and service for the Frisco Fire Department's fire trucks during the fiscal year 2010. (Fire/TJ)
31. Consider and act upon award of bid #0908-062, annual contract for irrigation supplies, to Longhorn, Inc. and Horizon Distributors. (Parks/TJ)
32. Consider and act upon adoption of a Resolution authorizing the City Manager to execute the Development Agreement by and between the City of Frisco and Hills of Kingwood, L.P., and the Hills of Kingwood Homeowner's Association, Inc., for property located at the intersection of Lebanon Road and Rock Creek Parkway. Neighborhood #36. (Development Services) 09-10-181R
33. Consider and act upon a resolution authorizing the City Manager to execute the Sanitary Sewer Overflow (SSO) Initiative as recommended for the City of Frisco by the Texas Commission on Environmental Quality. (Public Works) 09-10-182R
34. Consider and Act Upon a Resolution Authorizing the City Manager or His Designee to Execute an Agreement with Illumimax, LLC for the Design and Operation of the Computer Animated Holiday Lighting Show (CMO/NL) 09-10-183R

35. Consider and Act Upon a Resolution to Authorize the City Manager to Execute an Agreement between the City and the Frisco Association for the Arts (Financial Services/AC)

After discussion, Scott Johnson made a motion to Table Item 35 until the October 20, 2009 Regular CC Meeting to allow time to review the FAA budget. Pat Fallon seconded the motion.

Passed

Vote: 4 – 2

For: Scott Johnson, Jeff Cheney, Pat Fallon, David Prince;

Against: Bart Crowder, Bob Allen

LEGISLATIVE AGENDA

(These items may legally require Council Action, but by Council Policy should be the City Manager's responsibility. The Legislative Agenda can be acted upon in one motion. The concurrence of two council members is required to remove any item for separate discussion and action. Council members may vote nay on any single item without comment and may submit written comments as part of the official record.)

Scott Johnson moved to pull Item 37 from the Legislative Agenda. David Prince seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

Jeff Cheney moved to approve items 36 and 38 of the Legislative Agenda. Scott Johnson seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

36. Consider and act upon adoption of an Ordinance to amend Planned Development-165 regarding development standards and maximum height. The property contains 59.3± acres located on the southeast corner of All Stars Avenue and Frisco Street. Zoned Planned Development-165-Commercial-1. Neighborhood #46. Zoning Case No. Z09-0004. (Development Services/MW)

09-10-57

37. Consider and act upon adoption of an Ordinance for a Specific Use Permit to allow an Alcoholic Beverage Establishment on one lot on 0.5± acre on the

northeast corner of Frisco Square Boulevard and Coleman Boulevard. Zoned Planned Development-153-Mixed Use. Neighborhood #21. Specific Use Permit Case No. SUP09-0006. (Development Services/MW) 09-10-58

Scott Johnson asked to be recused from voting on item 37 due to a conflict of interest and will submit the appropriate Conflict of Interest form to the City Secretary's office. Councilman Johnson stepped down from the dais.

Citizens that spoke in opposition of Item 37:
Brandon Burden, 12637 Exeter Drive, Frisco
Jo Hooper, 7775 Maple Street, Frisco
Dr. Jim Joyner, 9950 Little Horn Cr., Frisco
Bill Pittenger, 8595 Meadow Hill, Frisco
Vince Barnes, 7621 Brookview Dr. Frisco

Also Present in Opposition but did not want to speak:
Jeannie Hooper, 7775 Maple St., Frisco
Isabel P Sem, 10390 Ridgecrest, Frisco
J B Hooper, 7775 Maple St., Frisco
Kip Bledsoe, 7142 Walnut St., Frisco

B. J. Accuardi, 12412 Littlefield Dr., Frisco and Bill Wilkerson, 4935 Cape Coral Dr., Dallas, co-owners of the proposed business, stepped forward to answer questions in regard to the venture.

Development Services Director John Lettelleir was also present to address the Council and answer questions.

Bob Allen moved to adjourn to closed session under 551.071 regarding item 37 at 8:07 p.m. David Prince seconded the motion.

Passed

Vote: 5 – 0

For: Jeff Cheney, Bart Crowder, Pat Fallon, Bob Allen, David Prince;

Against: (None)

Jeff Cheney moved to reconvene into Regular Session at 8:25 p. m. David Prince seconded the motion.

Passed

Vote: 5 – 0

For: Jeff Cheney, Bart Crowder, Pat Fallon, Bob Allen, David Prince;

Against: (None)

Following discussion, Bart Crowder moved to approve ordinance 09-10-58 with

a condition on the Specific Use Permit limiting the permit to five (5) years from the date of the issuance of the certificate of occupancy for the alcoholic beverage establishment.

Passed

Vote: 3 – 2

For: Jeff Cheney, Bart Crowder, Pat Fallon;

Against: Bob Allen, David Prince

Scott Johnson returned to the dais.

38. Consider and act upon the adoption of an ordinance amending Chapter 18 (Buildings and Building Regulations) of the Frisco Code of Ordinances. (Development Services) 09-10-59

REGULAR AGENDA

39. Public Hearing: Specific Use Permit SUP09-0008. A request for a Specific Use Permit for a Child Day Care on one lot on 1.5± acres within a 7,153 square foot building on the east side of Pasadena Drive, 400± feet south of Preston Trace Boulevard and consider and act to direct staff to prepare an Ordinance of the same. Zoned Commercial-1. Neighborhood #11. (Development Services/RC)

John Lettelleir addressed the Council regarding a request for a Specific Use Permit for a Child Day Care on one lot on 1.5± Acres within a 7,153 square foot building on the east side of Pasadena Drive, 400± feet south of Preston Trace Boulevard.

Bob Allen moved to open the public hearing. Bart Crowder seconded.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

Chris Duncan, 9255 Preston Road, Frisco, Texas and applicant, spoke in favor of the Day Care.

Jeff Cheney moved to close the public hearing. Bart Crowder seconded.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

Pat Fallon moved to approve to direct staff to prepare an Ordinance for Specific Use Permit SUP09-0008 for a Child Day Care on one lot on 1.5± acres within a 7,153 square foot building on the east side of Pasadena Drive, 400± feet south

of Preston Trace Boulevard. Zoned Commercial-1. Neighborhood #11. Scott Johnson seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

40. Consider Adoption of a Resolution Directing Publication of Notice of Intention to Issue Certificates of Obligation; and Resolving Other Matters Relating to the Subject. (CMO/NL)

Nell Lange was present to address the Council regarding Publication of Notice of Intention to Issue Certificates of Obligation.

Bob Allen moved to approve Resolution 09-10-184R Directing Publication of Notice of Intention to Issue Certificates of Obligation; and Resolving Other Matters Relating to the Subject. David Prince seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

41. Consider and act upon the Settlement Agreement and Release in Cause No. 2009-50183-367 in the case styled Wynnwood Peninsula Partners, L.P. v. City of Frisco, Texas, pending in the 367th Judicial District Court and to authorize City Manager to execute all documents necessary to effectuate the agreement and settlement. (CMO/RA)

City Attorney, Richard Abernathy, presented to Council a Settlement Agreement and Release regarding the Wynnwood Peninsula Partners, L.P. v. City of Frisco, Texas, pending in the 367th Judicial District Court.

David Prince moved to approve the Settlement Agreement and Release in Cause No. 2009-50183-367 in the case styled Wynnwood Peninsula Partners, L.P. v. City of Frisco, Texas, pending in the 367th Judicial District Court and to authorize City Manager to execute all documents necessary to effectuate the agreement and settlement pending completion and approval by the City Manager. Bart Crowder seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

42. Consider and act upon authorization for the City Manager to execute a Fourth Amendment to the Stars Center Lease Agreement between the City of Frisco (as Lessor), Dallas Stars, L.P. (as Lessee) and Hicks Sports Group, L.L.C. (as Guarantor) to provide for the payment by the Dallas Stars, L.P. of additional rent in exchange for improvements to be made to the Dr. Pepper Arena by the City. (CMO/RP)

George Purefoy addressed the Council regarding a Fourth Amendment to the Stars Center Lease Agreement with Hicks Sports Group, LLC.

Bart Crowder moved to approve authorization for the City Manager to execute a Fourth Amendment to the Stars Center Lease Agreement between the City of Frisco (as Lessor), Dallas Stars, L.P. (as Lessee) and Hicks Sports Group, L.L.C. (as Guarantor) to provide for the payment by the Dallas Stars, L.P. of additional rent in exchange for improvements to be made to the Dr. Pepper Arena by the City. David Prince seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

43. Consider and act upon authorization for the City Manager to execute Change Order Number 5 to the Standard Form of Agreement between the City of Frisco and Balfour Beatty Construction for the construction of additional improvements to the Dr. Pepper Arena. (CMO/RP)

George Purefoy addressed the Council regarding Change Order No. 5 to the Balfour Beatty Construction Agreement for additional improvements to the Dr Pepper Arena.

Bart Crowder moved to approve authorization for the City Manager to execute Change Order Number 5 to the Standard Form of Agreement between the City of Frisco and Balfour Beatty Construction for the construction of additional improvements to the Dr. Pepper Arena. Pat Fallon seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

44. Consider and act upon approval of a Change Order Number Two to contract with Alliance Testing for inspection and testing at Dr Pepper Arena. (CMO/RP)

George Purefoy addressed the Council regarding Change Order No. Two to the Alliance Testing Contract for inspection and testing at Dr Pepper Arena.

Scott Johnson moved to approve a Change Order Number Two to contract with Alliance Testing for inspection and testing at Dr Pepper Arena. Jeff Cheney seconded the motion.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

45. Consider and act upon the appointment of one (1) Board Member to fill the vacancy on the Convention & Visitors Bureau (CVB) for "Chamber Representative" (CSO/ JP)

Mayor Maso opened the floor for nominations.

David Prince nominated Michael Hitchcock.

Bart Crowder moved to close nominations. Pat Fallon seconded.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

Mayor Maso asked for a vote for Michael Hitchcock.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

46. Consider and act upon the appointment of one (1) Board Member to the Housing Trust Fund Board (CSO/JP)

Mayor Maso opened the floor for nominations.

Jeff Cheney nominated Hal Colvin.

David Prince nominated Brian Fletcher.

Bob Allen moved to close nominations. Jeff Cheney seconded.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

Mayor Maso asked for a vote for Hal Colvin.

Passed

Vote: 5 – 1

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen,

Against: David Prince

47. Consider and act upon the appointment of four (4) Board Members to the Downtown Advisory Board representing the following sectors: two (2) Merchant/Property Owners and two (2) "At Large" Representatives. (CSO/JP)
Tabled 09-17-09

Mayor Maso opened the floor for nominations Position # 1.

Bart Crowder nominated Diane Bevan.

Pat Fallon nominated Dr Bryan Johnson.

Bart Crowder moved to close nominations. Bob Allen seconded.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon, Bob Allen,
David Prince;

Against: (None)

Mayor Maso asked for a vote for Diane Bevan.

Passed

Vote: 4 – 2

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon

Against: Bob Allen, David Prince

Mayor Maso opened the floor for nominations Position # 2.

Bob Allen nominated Phil Crimmins.

Bart Crowder moved to close nominations. Pat Fallon seconded.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

Mayor Maso asked for a vote for Phil Crimmins.

Passed

Vote: 6 - 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

Mayor Maso opened the floor for nominations first "At Large" Position.

Bob Allen nominated Susanne Kerley.

Bart Crowder nominated Shon Rathbone.

Pat Fallon moved to close nominations. Jeff Cheney seconded.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

Mayor Maso asked for a vote for Susanne Kerley.

Passed

Vote: 4 – 2

For: Jeff Cheney, Bart Crowder, Bob Allen, David Prince;

Against: Bart Crowder, Pat Fallon

Mayor Maso opened the floor for nominations second "At Large" Position.

Bart Crowder nominated Shon Rathbone.

Bob Allen nominated Charles Yarbrough.

David Prince moved to close nominations. Jeff Cheney seconded.

Passed

Vote: 6 – 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

Mayor Maso asked for a vote for Shon Rathbone.

Passed

Vote: 5 - 1

For: Scott Johnson, Jeff Cheney, Bart Crowder, Bob Allen,
David Prince;

Against: Bob Allen

48. Consider and act upon the Mayor's appointment of two (2) Board members to the Housing Authority Board representing the following sector: three (3) Board Members "At Large". (CSO/JP)

Mayor appointed Brian Fletcher and will leave the other appointment open until a candidate is found.

49. Consider and Act Upon Submitting a Nominee to the Denton Central Appraisal District Board. (CMO/NL)

George Purefoy addressed the Council regarding submitting a nominee to the Denton Central Appraisal District Board. He suggested that Mike Roe has been appointed by Denton County and suggested that the City do the same.

Bob Allen moved to nominate Mike Roe as the Frisco candidate for the Denton County Appraisal District. Jeff Cheney seconded.

Passed

Vote: 6 - 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

50. Discuss and provide direction on drafting the Good Landlord Program. (Development Services/GC)

Greg Carr addressed the Council asking for direction on drafting the Good Landlord Program.

Diane Connelly with Collin County Area Realtors addressed Council with information regarding the program from a realtor's perspective.

Council directed staff go forward with the Good Landlord Program.

51. Consider and act upon whether to direct staff to submit a written notice of appeal on behalf of the City Council to Development Services, pursuant to Article IV, Section 1.07(C) of the Comprehensive Zoning Ordinance and/or Section 4.05 of the Subdivision Regulation Ordinance, regarding action taken by the Planning and Zoning Commission on any site plan or plat. Any written notice of appeal must be submitted to Development Services. (Development Services)

There were no appeals.

At 9:07 p.m., Jeff Cheney moved to enter recess to Closed Session in compliance with Section 551.001 of the Texas Government Code to finish business in regard to 551.071(iv.) Open Meetings Act, 551.072(i.) 2601 Avenue of the Stars (Dr Pepper Arena), and 551.074(i) Personnel – Evaluation of City Secretary. Pat Fallon seconded the motion.

Passed

Vote: 6 - 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

Pat Fallon moved to reconvene into Regular Session at 10:00 p.m. Jeff Cheney seconded the motion.

Passed

Vote: 6 - 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

Mayor Maso announced there was no action to take as a result of Closed Session.

52. City Council discussion with City Staff concerning any actions required by City Staff as a result of any item on tonight's agenda.

Budget report for FAA

53. Discussion on Governance Monitoring of present City Council Meeting.

Deputy Mayor Pro Tem Bob Allen gave the Council an A+.

Council wished David Prince a Happy Birthday.

ADJOURN

There being no additional business, Pat Fallon made motion to Adjourn at 10:01 p. m. Scott Johnson seconded the motion.

Passed

Vote: 6 - 0

For: Scott Johnson, Jeff Cheney, Bart Crowder, Pat Fallon,
Bob Allen, David Prince;

Against: (None)

(Please note these are preliminary meeting minutes and are not official until approved by the City Council at the next scheduled meeting.)

Maher Maso, Mayor

ATTEST:

Jenny Page, City Secretary